

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BERNARD P. JACKSON, SR.,

Defendant.

8:12CR234

ORDER

Defendant Bernard P. Jackson, Sr. (Jackson), appeared before the court on October 9, 2013, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 40). Jackson was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Douglas R. Semisch. Through his counsel, Jackson waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Jackson should be held to answer for a final dispositional hearing before Magistrate Judge F. A. Gossett.

The government moved for detention. Jackson proffered he would obtain substance abuse treatment and comply with conditions of release. He further provided his explanation of the domestic violence charge. Since it is Jackson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Jackson has failed to carry his burden and that Jackson should be detained pending a dispositional hearing before Judge Gossett.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Magistrate Judge F.A. Gossett in Courtroom No. 6, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 1:30 p.m. on December 10, 2013**. Defendant must be present in person.

2. Defendant Bernard P. Jackson, Sr., is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9th day of October, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge